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PLEASE RESPOND TO CHERRY HILL

February 8, 2023

VIA ECF

The Honorable Michael A. Hammer, U.S.M.J.
United States District Court
for the District of New Jersey
King Fed. Bldg. & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: Supernus Pharmaceuticals, Inc. v. RiconPharma LLC, et al., C.A. No. 2:21-cv-12133-KM-MAH

Dear Judge Hammer:

This office represents the Defendants RiconPharma, LLC and Ingenus Pharmaceuticals, LLC in the above-referenced matter. We write to respectfully request, jointly with Plaintiff, a two-week extension of all dates in the case schedule. Subject to the Court's approval, the Parties have agreed to the following revised schedule:

| <u>Event</u> | <u>Current Deadline in C.A. No. 21-12133 (ECF No. 119)</u> | <u>Proposed Deadline</u> |
|--|---|---------------------------------|
| Defendants to serve "Invalidity Contentions" and "Noninfringement Contentions" and corresponding disclosures (L. Pat. R. 3.6(c)-(f)) for '960 Patent | February 9, 2023 | February 23, 2023 |
| Parties to simultaneously exchange a list of claim terms of the '960 Patent which that party contends should be construed by the Court (L. Pat. R. 4.1(a)) | February 15, 2023 | March 1, 2023 |

The Honorable Michael A. Hammer, U.S.M.J.

February 8, 2023

Page 2

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| Parties to simultaneously exchange "Preliminary Claim Constructions" and identification of supporting intrinsic and extrinsic evidence (L. Pat. R. 4.2(a)-(b)) for '960 Patent | February 22, 2023 | March 8, 2023 |
| Parties to exchange identification of intrinsic and extrinsic evidence that each party intends to rely upon to oppose the other party's proposed construction for '960 Patent (L. Pat. R. 4.2(b)-(c)) | March 7, 2023 | March 21, 2023 |
| Parties to file Joint Claim Construction and Prehearing Statement for '960 Patent (L. Pat. R. 4.3) | March 14, 2023 | March 28, 2023 |
| Supernus to serve "Disclosure of Infringement Contentions" and "Responses to Invalidity Contentions" and corresponding documents (L. Pat. R. 3.6(g)-(i)) for '960 Patent | March 31, 2023 | April 14, 2023 |
| Parties to file Opening <i>Markman</i> Submissions for '960 Patent (L. Pat. R. 4.5(a)) | April 7, 2023 | April 21, 2023 |
| Parties to file Responsive <i>Markman</i> Submissions for '960 Patent (L. Pat. R. 4.5(c)) | April 28, 2023 | May 12, 2023 |
| <i>Markman</i> Hearing for disputed claim terms of '960 Patent | May 2023 (to be set by the Court) | May/June 2023 (to be set by the Court) |
| Close of fact discovery | June 5, 2023 | June 19, 2023 |
| Opening expert reports (for which the parties have the burden of proof) | July 28, 2023 | August 11, 2023 |
| Rebuttal expert reports | September 28, 2023 | October 12, 2023 |
| Reply expert reports | October 27, 2023 | November 10, 2023 |
| Completion of expert discovery | November 28, 2023 | December 12, 2023 |
| Joint Final Pretrial Order | December 28, 2023 | January 11, 2024 |
| Final Pretrial Conference | (To be set by the Court) | (To be set by the Court) |
| Trial | (To be set by the Court) | (To be set by the Court) |
| 30-month stay expiration | As described in ECF No. 108. | |

If this request is acceptable to the Court, the Parties respectfully request Your Honor mark this letter So Ordered. Thank you for your generous consideration of this matter.

The Honorable Michael A. Hammer, U.S.M.J.

February 8, 2023

Page 3

Respectfully submitted,

FLASTER/GREENBERG P.C.



Jeffrey A. Cohen

cc: All counsel of record

SO ORDERED

s/Michael A. Hammer

Michael A. Hammer, U.S.M.J.

Date: 2-9-23